

**Claim Amendments**

The listing of claims will replace all prior versions, and listings, of the claims in the application:

**Listing of Claims:**

1. (cancelled)

2. (currently amended) The landscape/erosion control structure of claim [[1]] 3, wherein:

a substantial number of the distal ends of the spines do not touch other spines.

3. (currently amended) ~~The landscape/erosion control structure of claim 1, A~~  
landscape/erosion control structure for retaining landscaping materials, the  
landscape/erosion control structure comprising:

a. a lower support structure;

b. a plurality of spines attached to the lower support structure, each of said plurality of spines being formed with a base end, a base portion, an elongated distal portion, and a distal end;

c. wherein the spines are arranged in relation to each other and to the lower support structure such that spaces exist between most of the distal portions of the spines; and

d. the spines are relatively stiff such that the distal ends of the spines stand away from the lower support structure when in a rest position and the spines can hold landscape material, and wherein[[:]]

the distal portions of the spines have a designated width and the spaces between the distal portions of adjacent spines is substantially greater than the width of the spines.

4. (currently amended) The landscape/erosion control structure of claim [[1]] 3, wherein;

1 when the plurality of spines are in the rest position, the distal portions of most of the spines are disposed at an acute angle to the lower support structure.

5 5. (currently amended) The landscape/erosion control structure of claim [[1]] 3, wherein:

said plurality of spines are arranged in discrete rows.

10 6. (currently amended) The landscape/erosion control structure of claim [[1]] 3, wherein:

said elongated distal portions of said spines are generally directed in a similar direction.

15 7. (previously presented) A landscape/erosion control structure for retaining landscaping materials, the landscape/erosion control structure comprising:

- a. a lower support structure;
- b. a plurality of spines attached to the lower support structure, each of said plurality of spines being formed with a base end, a base portion, an elongated distal portion, and a distal end;
- c. wherein the spines are arranged in relation to each other and to the lower support structure such that spaces exist between most of the distal portions of the spines;
- d. the spines are relatively stiff such that the distal ends of the spines stand away from the lower support structure when in a rest position; and
- e. said base portions of said spines are wider than said elongated distal portions.

20 25 30 8. (currently amended) The landscape/erosion control structure of claim [[1]] 3, wherein:

said distal ends of said spines come to a point.

35 9. (original) The landscape/erosion control structure of claim 7, wherein:

1           said spines have a triangular shape.

10. (currently amended) The landscape/erosion control structure of claim [[1]]  
3, wherein:

5           the distal portions of the spines are curved.

11. (currently amended) The landscape/erosion control structure of claim [[1]]  
3, wherein:

10          the distal portions of the spines are curled.

12. (currently amended) The landscape/erosion control structure of claim [[1]]  
3, wherein:

15          the distal portions of the spines are angled nearly parallel to the lower  
support structure.

13. (currently amended) The landscape/erosion control structure of claim [[1]]  
3, wherein:

20          the lower support structure is landscape fabric material and the landscape  
fabric material substantially blocks the transmission of sunlight through the  
landscape fabric material.

14. (currently amended) The landscape/erosion control structure of claim [[1]]  
3, wherein:

25          the lower support structure does not block the transmission of sunlight.

15. (currently amended) The landscape/erosion control structure of claim [[1]]  
3, wherein:

- 30          a.     said lower support structure comprises a plurality of strips that carry  
the spines;  
b.     said plurality of strips being joined together.

1 16. (previously presented) A landscape/erosion control structure for retaining landscaping materials, the landscape/erosion control structure comprising:

- 5 a. a lower support structure;
- b. a plurality of spines attached to the lower support structure, each of said plurality of spines being formed with a base end, a base portion, an elongated distal portion, and a distal end;
- 10 c. wherein the spines are arranged in relation to each other and to the lower support structure such that spaces exist between most of the distal portions of the spines;
- d. wherein the spines are relatively stiff such that the distal ends of the spines stand away from the lower support structure when in a rest position; and
- e. wherein said lower support structure comprises a plurality of strips that carry the spines, said plurality of strips being joined together;
- 15 f. a plurality of second strips that do not have spines;
- g. a sheet of landscape fabric material; and
- h. said sheet of landscape fabric material is disposed between said plurality of strips that carry the spines and the plurality of second strips that do not have spines.
- 20

17. (original) The landscape/erosion control structure of claim 16, wherein:  
said second strips have pegs which are received in holes in the strips carrying the spines.

25 18. (previously presented) A landscape/erosion control structure for retaining landscaping materials, the landscape/erosion control structure comprising:

- a. a lower support structure;
- 30 b. a plurality of spines attached to the lower support structure, each of said plurality of spines being formed with a base end, a base portion, an elongated distal portion, and a distal end;
- c. wherein the spines are arranged in relation to each other and to the lower support structure such that spaces exist between most of the distal portions of the spines;
- 35

1 d. wherein the spines are relatively stiff such that the distal ends of the  
spines stand away from the lower support structure when in a rest  
position;

5 e. wherein said lower support structure comprises a plurality of strips  
that carry the spines, said plurality of strips being joined together;

f. wherein said plurality of strips that carry the spines are elongated  
and are arranged in substantially parallel relationship;

g. wherein each of said plurality of strips that carry the spines has a  
first end and a second end; and

10 h. wherein selected pairs of adjacent strips that carry the spines are  
arranged so that the first end of the first one of said strips making up the  
selected pair of adjacent strips is not in alignment with the first end of the  
second strip of the selected adjacent pair of strips.

15 19. (original) The landscape/erosion control structure of claim 18, wherein:

selected adjacent pairs of strips occur at regular intervals along the lower  
support structure.

20 20. (original) The landscape/erosion control structure of claim 19, further  
comprising:

a. a second landscape/erosion control structure comprising:

1. a lower support structure;

25 2. a plurality of spines attached to the lower support structure,  
each of said plurality of spines being formed with a base end, a  
base portion, an elongated distal portion, and a distal end;

30 3. wherein the spines are arranged in relation to each other  
and to the lower support structure such that spaces exist between  
most of the distal portions of the spines, and the spines are  
relatively stiff such that the distal ends of the spines stand away  
from the lower support structure when in a rest position; and

4. said lower support structure comprises a plurality of strips  
that carry the spines, said plurality of strips being joined together,  
said plurality of strips that carry the spines are elongated and are

1 arranged in substantially parallel relationship, each of said  
plurality of strips that carry the spines having a first end and a  
second end, and selected pairs of adjacent strips that carry the  
5 spines are arranged so that the first end of the first one of said  
strips making up the selected pair of adjacent strips is not in  
alignment with the first end of the second strip of the selected  
adjacent pair of strips, and the selected adjacent pairs of strips  
occur at regular intervals along the lower support structure; and  
wherein

10 b. the first and second landscape/erosion control structures are  
arranged so that the second ends of the strips carrying the spines of the  
first landscape/erosion control structure are adjacent to the first ends of  
the strips carrying the spines of the second landscape/erosion control  
structure.

15 21. (previously presented) A landscape/erosion control structure for retaining  
landscaping materials, the landscape/erosion control structure comprising:

- a. a lower support structure;
- 20 b. a plurality of spines attached to the lower support structure, each  
of said plurality of spines being formed with a base end, a base portion, an  
elongated distal portion, and a distal end;
- c. wherein the spines are arranged in relation to each other and to the  
lower support structure such that spaces exist between most of the distal  
25 portions of the spines;
- d. the spines are relatively stiff such that the distal ends of the spines  
stand away from the lower support structure when in a rest position;
- e. a substantial number of the distal ends of the spines do not touch  
other spines; and
- 30 f. the distal portions of the spines have a designated width and the  
spaces between the distal portions of adjacent spines is substantially  
greater than the width of the spines.

35 22. (original) The landscape/erosion control structure of claim 21, wherein;

1 when the plurality of spines are in the rest position, the distal portions of  
most of the spines are disposed at an acute angle to the lower support  
structure.

5 23. (original) The landscape/erosion control structure of claim 22, wherein:  
said elongated distal portions of said spines are generally directed in a  
similar direction.

10 24. (original) The landscape/erosion control structure of claim 23, wherein:  
the distal portions of the spines are curved.

15 25. (original) The landscape/erosion control structure of claim 24, wherein:  
the distal portions of the spines are curled.

20 26. (original) The landscape/erosion control structure of claim 25, wherein:  
the lower support structure is landscape fabric material and the landscape  
fabric material substantially blocks the transmission of sunlight through the  
landscape fabric material.

25 27. (previously presented) The landscape/erosion control structure of claim  
21, wherein:  
said plurality of spines are arranged in discrete rows.

30 28. (previously presented) The landscape/erosion control structure of claim  
21, wherein:  
said base portions of said spines are wider than said elongated distal  
portions.

35 29. (previously presented) The landscape/erosion control structure of claim  
21, wherein:  
said distal ends of said spines come to a point.

1 30. (previously presented) The landscape/erosion control structure of claim 28,  
wherein:

said spines have a triangular shape.

5 31. (previously presented) The landscape/erosion control structure of claim  
21, wherein:

the distal portions of the spines are angled nearly parallel to the lower  
support structure.

10 32. (previously presented) The landscape/erosion control structure of claim  
21, wherein:

the lower support structure does not block the transmission of sunlight.

15 33. (previously presented) The landscape/erosion control structure of claim  
21, wherein:

a. said lower support structure comprises a plurality of strips that carry  
the spines;

b. said plurality of strips being joined together.

20 34. (previously presented) The landscape/erosion control structure of claim  
33, further comprising:

a. a plurality of second strips that do not have spines;

b. a sheet of landscape fabric material; and

25 c. said sheet of landscape fabric material is disposed between said  
plurality of strips that carry the spines and the plurality of second strips  
that do not have spines.

30 35. (previously presented) The landscape/erosion control structure of claim 34,  
wherein:

said second strips have pegs which are received in holes in the strips  
carrying the spines.



1 36. (previously presented) The landscape/erosion control structure of claim 33,  
wherein:

- 5 a. said plurality of strips that carry the spines are elongated and are  
arranged in substantially parallel relationship;  
b. each of said plurality of strips that carry the spines has a first end  
and a second end; and  
10 c. selected pairs of adjacent strips that carry the spines are arranged  
so that the first end of the first one of said strips making up the selected  
pair of adjacent strips is not in alignment with the first end of the second  
strip of the selected adjacent pair of strips.

37. (previously presented) The landscape/erosion control structure of claim 36,  
wherein:

15 selected adjacent pairs of strips occur at regular intervals along the lower  
support structure.

38. (previously presented) The landscape/erosion control structure of claim 37,  
further comprising:

- 20 a. a second landscape/erosion control structure comprising:  
1. a lower support structure;  
2. a plurality of spines attached to the lower support structure,  
each of said plurality of spines being formed with a base end, a  
base portion, an elongated distal portion, and a distal end;  
25 3. wherein the spines are arranged in relation to each other  
and to the lower support structure such that spaces exist between  
most of the distal portions of the spines, and the spines are  
relatively stiff such that the distal ends of the spines stand away  
from the lower support structure when in a rest position; and  
30 4. said lower support structure comprises a plurality of strips  
that carry the spines, said plurality of strips being joined together,  
said plurality of strips that carry the spines are elongated and are  
arranged in substantially parallel relationship, each of said  
plurality of strips that carry the spines having a first end and a

1 second end, and selected pairs of adjacent strips that carry the  
spines are arranged so that the first end of the first one of said  
strips making up the selected pair of adjacent strips is not in  
5 alignment with the first end of the second strip of the selected  
adjacent pair of strips, and the selected adjacent pairs of strips  
occur at regular intervals along the lower support structure; and  
wherein

b. the first and second landscape/erosion control structures are  
arranged so that the second ends of the strips carrying the spines of the  
10 first landscape/erosion control structure are adjacent to the first ends of  
the strips carrying the spines of the second landscape/erosion control  
structure.

39. (previously presented) The landscape/erosion control structure of claim  
15 21, wherein:

the spines are greater than or equal to 0.5 inches in height.

40. (previously presented) The landscape/erosion control structure of claim  
20 21, wherein:

the spaces between the distal portions of adjacent spines is substantially 2  
inches or greater.

41. (cancelled)

42. (currently amended) The landscape/erosion control structure of claim [[41]]  
25 53, wherein;

when the plurality of spines are in the rest position, the distal portions of  
most of the spines are disposed at an acute angle to the lower support  
30 structure.

43. (previously presented) The landscape/erosion control structure of claim 42,  
wherein:

1           said elongated distal portions of said spines are generally directed in a  
similar direction.

5           44. (previously presented) The landscape/erosion control structure of claim 43,  
wherein:

the distal portions of the spines are curved.

10           45. (previously presented) The landscape/erosion control structure of claim 44,  
wherein:

the distal portions of the spines are curled.

15           46. (previously presented) The landscape/erosion control structure of claim 45,  
wherein:

the lower support structure is landscape fabric material and the landscape  
fabric material substantially blocks the transmission of sunlight through the  
landscape fabric material.

20           47. (currently amended) The landscape/erosion control structure of claim [[41]]  
53, wherein:

said plurality of spines are arranged in discrete rows.

25           48. (currently amended) The landscape/erosion control structure of claim [[41]]  
53, wherein:

said base portions of said spines are wider than said elongated distal  
portions.

30           49. (currently amended) The landscape/erosion control structure of claim [[41]]  
53, wherein:

said distal ends of said spines come to a point.

35           50. (previously presented) The landscape/erosion control structure of claim '48,  
wherein:

1           said spines have a triangular shape.

51. (currently amended) The landscape/erosion control structure of claim [[41]]  
53, wherein:

5           the distal portions of the spines are angled nearly parallel to the lower  
support structure.

52. (currently amended) The landscape/erosion control structure of claim [[41]]  
53, wherein:

10          the lower support structure does not block the transmission of sunlight.

53. (currently amended) ~~The landscape/erosion control structure of claim 41, A~~  
landscape/erosion control structure for retaining landscaping materials such as  
mulch over a selected portion of ground, the landscape/erosion control structure  
15 comprising:

a. a lower support structure placed over a selected portion of ground;

b. a plurality of spines attached to the lower support structure, each  
of said plurality of spines being formed with a base end, a base portion, an  
20 elongated distal portion, and a distal end;

c. wherein the spines are arranged in relation to each other and to the  
lower support structure such that spaces exist between most of the distal  
portions of the spines;

d. the spines are relatively stiff such that the distal ends of the spines  
stand away from the lower support structure when in a rest position; and

25 e. mulch placed over the lower support structure and resting on the lower  
support structure and in contact with the spines, wherein[[:]]

f. [[a.]]       said lower support structure comprises a plurality of strips  
that carry the spines;

30 g. [[b.]]       said plurality of strips being joined together.

54. (previously presented) The landscape/erosion control structure of claim 53,  
further comprising:

a.       a plurality of second strips that do not have spines;

- 1           b.     a sheet of landscape fabric material; and  
          c.     said sheet of landscape fabric material is disposed between said  
                plurality of strips that carry the spines and the plurality of second strips  
                that do not have spines.

5  
55. (previously presented) The landscape/erosion control structure of claim 54,  
wherein:

          said second strips have pegs which are received in holes in the strips  
          carrying the spines.

10  
56. (previously presented) The landscape/erosion control structure of claim 53,  
wherein:

- 15           a.     said plurality of strips that carry the spines are elongated and are  
                arranged in substantially parallel relationship;  
          b.     each of said plurality of strips that carry the spines has a first end  
                and a second end; and  
          c.     selected pairs of adjacent strips that carry the spines are arranged  
20           so that the first end of the first one of said strips making up the selected  
                pair of adjacent strips is not in alignment with the first end of the second  
                strip of the selected adjacent pair of strips.

25  
57. (previously presented) The landscape/erosion control structure of claim 56,  
wherein:

          selected adjacent pairs of strips occur at regular intervals along the lower  
          support structure.

30  
58. (previously presented) The landscape/erosion control structure of claim 57,  
further comprising:

- a.     a second landscape/erosion control structure comprising:  
                1.     a lower support structure;

1                   2.     a plurality of spines attached to the lower support structure,  
each of said plurality of spines being formed with a base end, a  
base portion, an elongated distal portion, and a distal end;

5                   3.     wherein the spines are arranged in relation to each other  
and to the lower support structure such that spaces exist between  
most of the distal portions of the spines, and the spines are  
relatively stiff such that the distal ends of the spines stand away  
from the lower support structure when in a rest position; and

10                  4.     said lower support structure comprises a plurality of strips  
that carry the spines, said plurality of strips being joined together,  
said plurality of strips that carry the spines are elongated and are  
arranged in substantially parallel relationship, each of said plurality  
of strips that carry the spines having a first end and a second end,  
and selected pairs of adjacent strips that carry the spines are  
15                  arranged so that the first end of the first one of said strips making  
up the selected pair of adjacent strips is not in alignment with the  
first end of the second strip of the selected adjacent pair of strips,  
and the selected adjacent pairs of strips occur at regular intervals  
along the lower support structure; and wherein

20                  b.     the first and second landscape/erosion control structures are  
arranged so that the second ends of the strips carrying the spines of the  
first landscape/erosion control structure are adjacent to the first ends of  
the strips carrying the spines of the second landscape/erosion control  
structure.

25                  59.    (currently amended) The landscape/erosion control structure of claim  
[[41]] 53, wherein:

the spines are greater than or equal to 0.5 inches in height.

30                  60.    (currently amended) The landscape/erosion control structure of claim  
[[41]] 53, wherein:

the spaces between the distal portions of adjacent spines is substantially 2  
inches or greater.

1 61. (previously presented) A landscape/erosion control structure for retaining  
landscaping materials such as mulch over a selected portion of ground, the  
landscape/erosion control structure comprising:

- 5 a. a lower support structure placed over a selected portion of ground;  
b. a plurality of spines attached to the lower support structure, each  
of said plurality of spines being formed with a base end, a base portion, an  
elongated distal portion, and a distal end;  
10 c. wherein the spines are arranged in relation to each other and to the  
lower support structure such that spaces exist between most of the distal  
portions of the spines;  
d. the spines are relatively stiff such that the distal ends of the spines  
stand away from the lower support structure when in a rest position; and  
e. a substantial number of the distal portions of the spines do not  
15 touch other spines; and  
f. the distal portions of the spines have a designated width and the  
spaces between the distal portions of adjacent spines is substantially  
greater than the width of the spines.

20 62. (previously presented) The landscape/erosion control structure of claim 61,  
wherein;

when the plurality of spines are in the rest position, the distal portions of  
most of the spines are disposed at an acute angle to the lower support  
structure.

25 63. (previously presented) The landscape/erosion control structure of claim 62,  
wherein:

said elongated distal portions of said spines are generally directed in a  
similar direction.

30 64. (previously presented) The landscape/erosion control structure of claim 63,  
wherein:

the distal portions of the spines are curved.

EV 4 5 9 4 1 7 2 1 7

1  
65. (previously presented) The landscape/erosion control structure of claim 64,  
wherein:

5           the distal portions of the spines are curled.

66. (previously presented) The landscape/erosion control structure of claim 65,  
wherein:

10           the lower support structure is landscape fabric material and the landscape  
fabric material substantially blocks the transmission of sunlight through the  
landscape fabric material.

67. (previously presented) The landscape/erosion control structure of claim 61,  
wherein:

15           said plurality of spines are arranged in discrete rows.

68. (previously presented) The landscape/erosion control structure of claim 61,  
wherein:

20           said base portions of said spines are wider than said elongated distal  
portions.

69. (previously presented) The landscape/erosion control structure of claim 61,  
wherein:

25           said distal ends of said spines come to a point.

70. (previously presented) The landscape/erosion control structure of claim 68,  
wherein:

          said spines have a triangular shape.

30 71. (previously presented) The landscape/erosion control structure of claim 61,  
wherein:

          the distal portions of the spines are angled nearly parallel to the lower  
support structure.



1  
72. (previously presented) The landscape/erosion control structure of claim 61,  
wherein:

the lower support structure does not block the transmission of sunlight.

5  
73. (previously presented) The landscape/erosion control structure of claim 61,  
wherein:

- 10
- a. said lower support structure comprises a plurality of strips that carry the spines;
  - b. said plurality of strips being joined together.

74. (previously presented) The landscape/erosion control structure of claim 73,  
further comprising:

- 15
- a. a plurality of second strips that do not have spines;
  - b. a sheet of landscape fabric material; and
  - c. said sheet of landscape fabric material is disposed between said plurality of strips that carry the spines and the plurality of second strips that do not have spines.

20  
75. (previously presented) The landscape/erosion control structure of claim 74,  
wherein:

said second strips have pegs which are received in holes in the strips carrying the spines.

25  
76. (previously presented) The landscape/erosion control structure of claim 73,  
wherein:

- 30
- a. said plurality of strips that carry the spines are elongated and are arranged in substantially parallel relationship;
  - b. each of said plurality of strips that carry the spines has a first end and a second end; and
  - c. selected pairs of adjacent strips that carry the spines are arranged so that the first end of the first one of said strips making up the selected
- 35

1 pair of adjacent strips is not in alignment with the first end of the second  
strip of the selected adjacent pair of strips.

5 77. (previously presented) The landscape/erosion control structure of claim 76,  
wherein:

selected adjacent pairs of strips occur at regular intervals along the lower  
support structure.

10 78. (previously presented) The landscape/erosion control structure of claim 77,  
further comprising:

- a. a second landscape/erosion control structure comprising:
1. a lower support structure;
  2. a plurality of spines attached to the lower support structure,  
15 each of said plurality of spines being formed with a base end, a  
base portion, an elongated distal portion, and a distal end;
  3. wherein the spines are arranged in relation to each other  
and to the lower support structure such that spaces exist between  
most of the distal portions of the spines, and the spines are  
20 relatively stiff such that the distal ends of the spines stand away  
from the lower support structure when in a rest position; and
  4. said lower support structure comprises a plurality of strips  
that carry the spines, said plurality of strips being joined together,  
said plurality of strips that carry the spines are elongated and are  
25 arranged in substantially parallel relationship, each of said  
plurality of strips that carry the spines having a first end and a  
second end, and selected pairs of adjacent strips that carry the  
spines are arranged so that the first end of the first one of said  
strips making up the selected pair of adjacent strips is not in  
30 alignment with the first end of the second strip of the selected  
adjacent pair of strips, and the selected adjacent pairs of strips  
occur at regular intervals along the lower support structure; and  
wherein

1           b.     the first and second landscape/erosion control structures are  
arranged so that the second ends of the strips carrying the spines of the  
first landscape/erosion control structure are adjacent to the first ends of  
the strips carrying the spines of the second landscape/erosion control  
5     structure.

79.   (previously presented) The landscape/erosion control structure of claim  
61, wherein:

10           the spines are greater than or equal to 0.5 inches in height.

80.   (previously presented) The landscape/erosion control structure of claim  
61, wherein:

15           the spaces between the distal portions of adjacent spines is substantially 2  
inches or greater.